

REMARKS

This Response is submitted in reply to the Office Action dated May 18, 2006. Claims 2-4 and 10-13 are pending in the patent application. Claims 10 and 11 have been amended. No new matter has been added by any of the amendments made herein.

The Office Action rejected Claims 3-4 and 10-13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,884,271 to Pitroda ("Pitroda") in view of U.S. Patent No. 6,129,274 to Suzuki ("Suzuki") in further view of U.S. Patent Application Publication No. 2001/0014893 to Boothby ("Boothby"). Applicants respectfully disagree with and traverse this rejection because the combination, even if properly made, does not disclose or suggest the elements of claims 3-4 and 10-13.

Pitroda describes a universal electronic transaction card ("UET card") which is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical and health care management cards and the like. The UET card includes storage elements, an input interface, a processor, a display, and a communications interface. The UET card also stores transactional information to eliminate paper receipts and includes security features to prevent unauthorized use, and can be used to replace conventional currency and traveler's checks, or to store and display promotional information, such as advertising and incentives. The UET and a Point of Sales device ("POS") interface with a communication interface unit ("CIU"), and one or more CIUs can communicate with a main central computer. However, Pitroda does not disclose or suggest that utilization-history data which is collected and compared with utilization-history data for the card on a plurality of electronic money terminals includes information about two different transactions carried out between the UET card and two different electronic money terminals. To the contrary, it is respectfully submitted that information transmitted between the UET card and the CIU in a transaction relates only to that transaction. For at least this reason, Pitroda does not disclose or suggest an electronic money management means comparing a first set of utilization-history data gathered from a first electronic money terminal with a second set of utilization-history data gathered from a second electronic money terminal wherein the first set of utilization-history data includes first data for a first transaction between the first electronic money terminal and the information card and the second set of utilization-history data includes second data for a second transaction between the

second electronic money terminal and the information card as described in independent claims 10 and 11.

Suzuki describes an electronic personal shopping system for communicating between a customer's personal memory store and point-of-sale terminals in a retail facility. A customer's transaction history data is stored in particular locations in a memory of a portable, machine-readable smart card. Check-out terminals record a customer's most recent transactions in the customer's transaction history storage area to reflect the most recent purchase. A customer assistance, or kiosk terminal, is able to develop promotional and personalized greeting messages by reading and analyzing the transaction history stored in the smart card to personalize the service offered to each individual customer; however, the kiosk terminal does not read the transaction history when electronic money data is withdrawn from the personal memory store. Further, the kiosk terminal does not transfer that transaction history to a central computer for comparison with transaction histories read and transmitted by other kiosks. For at least these reasons, Suzuki does not disclose or suggest an electronic money management means comparing a first set of utilization-history data gathered from a first electronic money terminal with a second set of utilization-history data gathered from a second electronic money terminal wherein the first set of utilization-history data includes first data for a first transaction between the first electronic money terminal and the information card and the second set of utilization-history data includes second data for a second transaction between the second electronic money terminal and the information card as described in independent claims 10 and 11.

Boothby discloses a data processing method for synchronizing the data records of a plurality of disparate databases, in which a status file is provided containing data records representative of the contents of data records existing in the disparate databases at a prior synchronization. However, it is respectfully submitted that Boothby does not disclose or suggest an electronic money management means comparing a first set of utilization-history data gathered from a first electronic money terminal with a second set of utilization-history data gathered from a second electronic money terminal wherein the first set of utilization-history data includes first data for a first transaction between the first electronic money terminal and the information card and the second set of utilization-history data includes second data for a second transaction

between the second electronic money terminal and the information card as described in independent claims 10 and 11

For at least these reasons, amended claims 10 and 11 and claims 2-4 and 12-13 which depend from either of claims 10 and 11, are distinguishable from Pitroda in view of Suzuki in further view of Boothby and thus are in condition for allowance.

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Pitroda in view of Suzuki and further in view of U.S. Patent No. 6,317,721 ("Hurta"). Claim 2 depends from claim 10, and as discussed above, the combination of Pitroda and Suzuki, even if validly made, does not disclose or suggest an electronic money management means comparing a first set of utilization-history data gathered from a first electronic money terminal with a second set of utilization-history data gathered from a second electronic money terminal wherein the first set of utilization-history data includes first data for a first transaction between the first electronic money terminal and the information card and the second set of utilization-history data includes second data for a second transaction between the second electronic money terminal and the information card as described in independent claim 10.

Hurta describes a smartcard, a smartcard based transponder, RF communications and wireless transactions. Further, Hurta describes incrementing transaction numbers each transaction so that it can be determined whether transaction has been missed or potential fraud is occurring (e.g., a transaction number occurs twice). However, the card readers do not read a transaction history including transactions between the card and at least two electronic money terminals and transfer that transaction history to a central computer for comparison with transaction histories read and transmitted by other card readers.

For at least this reason, Hurta does not disclose or suggest an electronic money management means comparing a first set of utilization-history data gathered from a first electronic money terminal with a second set of utilization-history data gathered from a second electronic money terminal wherein the first set of utilization-history data includes first data for a first transaction between the first electronic money terminal and the information card and the second set of utilization-history data includes second data for a second transaction between the second electronic money terminal and the information card as described in independent claim 10.


For at least these reasons, claim 2, which depends from claim 10, is patentably distinguished from Pitroda in view of Suzuki in further view of Hurta and is in condition for allowance. Further, claim 2 is patentably distinguished from Pitroda in view of Suzuki in further view of Boothby in still further view of Hurta and is in condition for allowance.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Thomas C. Basso
Reg. No. 46,541
Customer No. 29175

Dated: August 3, 2006